

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

v.

MICHAEL DELAHANTY *et al.*

Criminal Action 21-872 (MAS)


**ORDER**

This matter comes before the Court on several motions raised by Defendants Michael Delahanty (“Delahanty”), Matthew Przemieniecki (“Przemieniecki”), and Justin Ubry (“Ubry,” and collectively with Delahanty and Przemieniecki, “Defendants”). First, Przemieniecki and Delahanty move for a bill of particulars. (ECF Nos. 38, 39.) Next, Ubry moves to dismiss Count Two of the Indictment. (ECF No. 40.) Third and finally, Delahanty filed an Omnibus Motion. (ECF No. 41.) The United States of America (the “Government”) opposed Defendants’ motions (ECF No. 44), and Przemieniecki and Ubry responded (ECF Nos. 45, 46). The Court has carefully considered the parties’ submissions and decides some of the parties’ motions without oral argument pursuant to Local Civil Rule 78.1, which is applicable to criminal cases under Local Criminal Rule 1.1. For the reasons set forth in the accompanying Memorandum Opinion, and for good cause shown,

**IT IS**, on this 13<sup>th</sup> day of September 2022, **ORDERED** that:

1. Delahanty’s Omnibus Motion (ECF No. 41) is **GRANTED IN-PART, DENIED IN-PART**, and **RESERVED IN-PART**.
  - a. Delahanty’s motion for disclosure of grand jury materials is **DENIED**.
  - b. Delahanty’s motion for the Government to disclose *Brady* materials is **DENIED** as moot.
  - c. Delahanty’s motion requesting that the Government disclose Federal Rule of Evidence 404(b) evidence is **DENIED** as moot.

- d. Delahanty's motion that the Government disclose expert reports and proposed expert testimony is **DENIED** as moot.
  - e. Delahanty's request for leave to file additional motions is **GRANTED**.
  - f. Delahanty's Motion to Dismiss is **RESERVED** pending oral argument.
- 2. Delahanty's Motion for Bill of Particulars (ECF No. 38) is **DENIED**.
  - 3. Przemieniecki's Motion for Bill of Particulars (ECF No. 39) is **DENIED**.
  - 4. Ubry's Motion to Dismiss (ECF No. 40) is **RESERVED** pending oral argument.
  - 5. The Government's Request for Reciprocal Discovery (ECF No. 44) is **GRANTED**.

  
\_\_\_\_\_  
**MICHAEL A. SHIPP**  
**UNITED STATES DISTRICT JUDGE**